Division Bench

1.8.2005 (3)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 741 /2005

PETITIONER

Mohd. Hasan Khan, S/o. Shri Ali Ahmad Khan, Aged about 48 years, Partner of M/s. Mahadeo Transport, High Court Road, Bilaspur (C.G.)

P.R. No. 565/05
Presented by Shri B.K. Rawat
dated 11-02-05

VERSUS

RESPONDENTS

1. The State Transport Authority, Raipur (C.G.)

2. The State Transport Authority, Moti Mahal, Gwalior (M.P.)

Attested
14/3/05

WRIT PETITION UNDER ARTICLE 226(2) OF THE CONSTITUTION OF INDIA

amendment incorporated as per the court order dt. 4/3/05

4/3/05

4. The State of C.G.,
Through the Secretary.
Department of Transport.
D.K.S. Bhawan, Raipur.

Division Bench

(3)

3. The State of M.P.,
Through the Secretary,
Department of Transport,
Vallabh Bhawan, Bhopal.

(28)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 741/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

D.B. : HON'BLE SHRI A.K.PATNAIK, C.J. AND HON'BLE SHRI V.K.SHRIVASTAVA, J.

29-3-2005

Writ Petition No.741/2005.

Heard Mr.B.K.Rawat, learned counsel for the petitioner and Mr.Prashant Mishra, learned Additional Advocate General for the State of Chhattisgarh.

Although notices have been issued to respondent Nos.2 and 3, the State Transport Authority, Gwalior (M.P.) and the State of M.P. respectively, and service report is awaited, it is not necessary to await the service report, considering the nature of the order proposed to be passed.

The case of the petitioner is that, he is carrying on a transport business in the name and style of M/s Mahadeo Transport. The petitioner applied for grant of temporary permit to the State Transport Authority, Chhattisgarh, Raipur for a period of 4 months for the route from Bilaspur to Jabalpur. The State Transport Authority granted such temporary permit for the period from 1-2-2005 to 30-4-2005. A copy of the said permit has been annexed with the writ petition as Annexure P/2. Thereafter, the petitioner applied for grant of counter signature of the aforesaid temporary permit to State Transport Authority, Madhya Pradesh, Gwalior as required under Section 88(7) of the Motor Vehicles Act, 1988, and the State Transport Authority, Chhattisgarh, Raipur

(पीछे देखिये)

29

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP No. 741/05 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

also recommended for such counter signature to the State Transport Authority, Madhya Pradesh, Gwalior. A copy of that recommendation letter has been annexed with the writ petition as Annexure P/3. But, as yet the State Transport Authority, Madhya Pradesh, Gwalior has not granted such counter signature as required under Section 88(7) of the Motor Vehicles Act, 1988. Being aggrieved with that, the petitioner has filed this writ petition for appropriate relief.

We dispose of this writ petition with a direction that the respondent No.2, the State Transport Authority, Madhya Pradesh, Gwalior will consider granting counter signature to the aforesaid temporary permit for the route from Bilaspur to Jabalpur after considering the recommendations of the State of Chhattisgarh. The aforesaid consideration shall be in accordance with law and shall be completed within a period of 15 days from the date of receipt of certified copy of this order from the petitioner. The amount of security deposited in this writ petition be refunded to the petitioner.

Certified copy as per rules.

Sd/-
V.K.Shrivastava
Judge

Sd/-
Chief Justice

G.Singh

[पीछे देखिये